

Message Text

CONFIDENTIAL

PAGE 01 VIENTI 05009 01 OF 03 260920Z

15

ACTION EA-10

INFO OCT-01 ISO-00 AID-05 OMB-01 CIAE-00 DODE-00 PM-03

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 IGA-01 FBO-02 A-01 OPR-02 SCS-03 SCA-01

DHA-02 /074 W

----- 083622

P R 260830Z JUL 75

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC PRIORITY 4894

INFO AMEMBASSY BANGKOK

AMCONSUL UDORN

DEPCHJUSMAGTHAI//USDAO//UDORN

17TH AD DET 1 UDORN

17TH AD DET 1 OL1B NKP

13TH AF CC CLARK AFB

CINCPAC

C O N F I D E N T I A L SECTION 1 OF 3 VIENTIANE 5009

CINCPAC ALSO FOR POLAD

BANGKOK ALSO FUR USAID/LAOS RESIDUAL STAFF

E.O. 11652: GDS

TAGS: PFOR, LA, US

SUBJ: OCCUPIED COMPOUNDS: JULY 26 MEETING WITH MFA OFFICIALS

REF: VIENTIANE 4786

SUMMARY: AT INVITATION OF MFA, CHARGE AND POL COUNS MET JULY 26 WITH FONMIN CHEF DE CABINET SOUBANH HEADING THREE-MAN DELEGATION. SOUBANH ESSENTIALLY REITERATED PGNU POSITION ON COMPOUNDS, STILL CONCENTRATING ON EMBASSY CONTRACTOR UNIVERSAL AMERICAN ENTERPRISES (UAE). EVIDENTLY OUR JULY 18 NOTE HAD BIT HOME AS IT EMPHASIZED BY TEXTUAL CITATIONS PGNU'S VIOLATIONS OF VIENNA CONVENTION. MFA HAD IN TURN SCoured CONVENTION TO DEVELOP
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 VIENTI 05009 01 OF 03 260920Z

NEW ARGUMENT THAT US HAD VIOLATED LAO SOVEREIGNTY. WE

STRESSED STRONGLY THAT IT WAS USELESS TO ENTER INTO LEGALISTIC AND HISTORICAL DEBATE AND THAT WHAT MATTERED WAS RAPID AND PRACTICAL SOLUTIONS TO CONCRETE PROBLEMS. WE BELIEVED THAT WITH MINIMUM OF GOOD WILL THESE COULD BE EASILY FOUND. POSITIONS AT END WERE AS FOLLOWS: A) ON OCCUPATION OF COMPOUNDS, WE REFUSED TO RE-ENTER AS LONG AS THERE WERE POLICE AND "DEMONSTRATORS" INSIDE; WE WOULD RE-ENTER WHEN POLICE OUTSIDE, ONLY EMPLOYEES INSIDE AND WE HAD FREE RUN; B) ON UAE MATERIALS CLAIMED BY PGNU TO BE USAID'S AND THEREFORE ITS OWN, WE SAID THIS WAS NON-NEGOTIABLE BECAUSE ALL MATERIALS BELONGED TO EMBASSY; C) ON SALE OF COMPOUNDS, WE INDICATED WILLINGNESS TO HEAR PGNU PROPOSALS. THERE WAS HOWEVER NO MOVEMENT ON LIFTING OCCUPATION AND SOUBANH SAID MFA WOULD SEND NEW NOTE.

WE TOOK OCCASION TO ASK ABOUT OUR OTHER NOTE ON PRIVATE AND EMBASSY PROPERTIES LEFT ON USAID COMPOUNDS. INITIAL RESPONSE WAS THAT EVERYTHING ON COMPOUNDS NOW BELONGED TO PGNU. WE HIT HARD ON THEME THAT PGNU HAD SHIFTED POSITIONS AS WE HAD IN PAST WEEKS RECEIVED ASSURANCES THAT WE COULD GET BACK THESE PROPERTIES. IT IS IMPOSSIBLE TO TELL WHETHER THERE IS ANY MOVEMENT HERE, BUT WE ARE NOT OPTIMISTIC.

FINALLY, WE RAISED CONWAY CASE. SOUBANH SAID INVESTIGATION STILL NOT COMPLETED AND UNTIL IT WAS, THERE COULD BE NO CONSULAR VISITS. HE DID HOWEVER HINT INVESTIGATION MIGHT BE EXPEDITED.
END SUMMARY.

IN RESPONSE TO INVITATION FROM FONMIN CHEF DE CABINET SOUBANH SRITHIRATH, CHARGE AND POLITICAL COUNSELOR MET RATHER FORMALLY IN MFA CONFERENCE ROOM AT 0900 JULY 26 WITH SOUBANH, HIS ASSISTANT SOUKTHAVONE KEOLA (ATTACHE DE CABINET TO FONMIN) AND CHANSAMONE VONGSAPHAY, NEWLY NAMED DIRECTOR OF POLITICAL AFFAIRS AT MFA. SOUBANH DID VIRTUALLY ALL THE TALKING FOR LAO SIDE.
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 VIENTI 05009 01 OF 03 260920Z

". HE BEGAN BY STATING THAT MFA HAD STUDIED US NOTE OF JULY 18 (COPY SENT DEPARTMENT BY POUCH) IN LIGHT OF MFA NOTE OF JULY 4 (TO WHICH JULY 18 NOTE REPLIED) AND OF 1961 VIENNA CONVENTION ON DIPLOMATIC RELATIONS. HE AGAIN FOCUSED ON ROLE OF EMBASSY CONTRACTOR, UNIVERSAL AMERICAN ENTERPRISES, INC., WHICH ALSO HELD CONTRACTS IN PAST WITH USAID AND DAO. PGNU POSITION WAS THAT UAE HAD TO BE DISSOLVED

BECAUSE IT HAD WORKED WITH "PARAMILITARY ORGANIZATION" USAID;
THAT EMBASSY AND COMPANY ITSELF HAD COMMITTED INFRACTIONS
OF ARTICLE 12 OF VIENNA CONVENTION IN THAT PGNU --
AFTER DILIGENT SEARCH OF MFA FILES -- COULD FIND NO
EVIDENCE THAT IT HAD EVER BEEN NOTIFIED OF COMPANY'S
ESTABLISHMENT IN LAOS; AND THAT UAE EMPLOYEES HAD
CARRIED WEAPONS, AGAIN IN VIOLATION OF VIENNA CONVEN-
TION AND/OR INTERNATIONAL LAW, AS "PROVED" BY EMBASSY
ADMINISTRATIVE NOTICE OF SEPTEMBER 1974 TO ALL MISSION
ELEMENTS AND CONTRACTORS REMINDING THEM TO REGISTER
WEAPONS WITH LAO POLICE.

3. WHEN SOUBANH HAD FINISHED, CHARGE SAID WE COULD
SPEND CONSIDERABLE TIME DEBATING JURIDICAL POINTS AND
PAST HISTORY. THIS DID NOT SEEM VERY PROMISING. WHAT
INTERESTED USG MOST WAS IMMEDIATE AND PRACTICAL SOLUTIONS
OF CONCRETE PROBLEMS, WHICH HAD BEGUN AT 0200 HOURS
PRECISELY FOUR WEEKS EARLIER WITH ILLEGAL OCCUPATION
OF EMBASSY'S GSO AND RESIDENTIAL COMPOUNDS BY SO-CALLED
PROTESTORS AND PATHET LAO POLICE. FIRST STEP WAS TO
END THIS ILLEGAL ACTION AND ITS CONSEQUENCES. HE SAID
AS HE UNDERSTOOD MATTER, THERE WERE THREE CONCRETE
QUESTIONS: (A) DISSOLUTION OF UAE, WHICH FOR US PRESENTED
NO PROBLEM ONCE UAE COULD AGAIN HAVE ACCESS TO ITS
OFFICES, COULD MAKE SEVERANCE PAYMENTS TO ITS 150 RE-
MAINING LAO EMPLOYEES, AND COULD WIND UP AFFAIRS IN
ORDERLY FASHION WHILE EMBASSY REORGANIZED OWN
ADMINISTRATIVE SERVICES; B) TURNOVER OF PROPERTY IMPORTED
AND OWNED BY UAE--A NON-PROBLEM SINCE THERE WAS NO
SUCH PROPERTY; UAE OPERATED ENTIRELY WITH GFE, AS

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 VIENTI 05009 02 OF 03 261827Z

45

ACTION EA-10

INFO OCT-01 ISO-00 AID-05 OMB-01 CIAE-00 DODE-00 PM-03

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 IGA-01 FBO-02 A-01 OPR-02 SCS-03 SCA-01

DHA-02 /074 W

----- 086539

P R 260830Z JUL 75
FM AMEMBASSY VIENTIANE
TO SECSTATE WASHDC PRIORITY 4895
INFO AMEMBASSY BANGKOK
AMCONSUL UDORN
DEPCHJUSMAGTHAI//USDAO//UDORN
17TH AD DET 1 UDORN
17TH AD DET 1 OL1B NKP
13TH AF CC CLARK AFB
CINCPAC

C O N F I D E N T I A L SECTION 2 OF 3 VIENTIANE 5009

DEMONSTRATED BY PORTIONS OF CONTRACT WHICH CHARGE
HANDED TO SOUBANH AND BY EMBASSY IMPORT DOCUMENTS
KEPT AT GSO COMPOUND; FOR THESE REASONS, THIS WAS NON-
NEGOTIABLE ISSUE; (C) POSSIBLE PURCHASE BY PGNU OF GSO
AND/OR SILVER CITY COMPOUNDS -- AN IDEA TO WHICH WE HAD
NO OBJECTION "A PRIORI" BUT WHICH WE COULD ONLY DISCUSS
ONCE COMPOUNDS WERE BACK UNDER OUR CONTROL. CHARGE
CONCLUDED BY SAYING THERE WAS NO REASON WHY ALL OF
THESE QUESTIONS COULD NOT BE RESOLVED RAPIDLY AND AMICABLY
ONCE PROPER CLIMATE HAD BEEN RESTORED.

4. SOUBANH THEN RATHER GRATUITOUSLY AND IN RATHER CON-
FUSED FASHION "RESTATED" THE PGNU POSITION IN FOUR
POINTS, MORE OR LESS REPEATING WHAT HE HAD SAID EARLIER
(PARA 2, ABOVE): A) UAE MUST BE DISSOLVED BECAUSE OF
CONNECTION WITH "PARAMILITARY ORGANIZATION," USAID, WHICH
HAD PARTICIPATED IN "WAR OF AGGRESSION" AGAINST LAO PEOPLE -
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 VIENTI 05009 02 OF 03 261827Z

A FACT EMBASSY NOTE REFUSED TO ACCEPT; B) EMBASSY HAD
COMMITTED "INFRACTIONS" AND HAD "VIOLATED LAO SOVEREIGNTY"
BY FAILING TO NOTIFY PGNU (OR AS IT WAS THEN, RLG) OF
UAE'S ESTABLISHMENT; C) UAE PERSONNEL CARRIED OR HAD
CARRIED WEAPONS, AGAIN WITH REFERENCE TO ADMIN NOTICE
ON REGISTRATION OF WEAPONS AND TO VIENNA CONVENTION
WHICH HE SAID PROHIBITED DIPLOMATIC PERSONNEL FROM
CARRYING WEAPONS; AND D) UAE HAD HAD A CONTRACT WITH
DAO. (WEAPONS ISSUE WAS AGAIN INTRODUCED IN CONNECTION
WITH THIS LAST POINT BUT WAS NEVER MADE CLEAR.)

5. CHARGE THEN SAID WE COULD GO ON AND ON IF WE WANTED
TO SEARCH HISTORICAL RECORD FOR ISSUES TO ARGUE, BUT
EMBASSY REMAINED INTERESTED IN PRACTICAL SOLUTIONS.

6. PICKING UP ON THIS POINT, SOUBANH SUMMARIZED
POSITIONS AS FOLLOWS: A) WE WERE WILLING TO "DISSOLVE UAE,"
AS PGNU WANTED. WE CONFIRMED THIS AND SAID EMBASSY HAD ALREADY

DIRECTED TERMINATION OF CONTRACT AS OF AUGUST 13 BY GIVING 30 DAYS NOTICE AS REQUIRED IN CONTRACT; WE HAD DONE SO AS PRACTICAL MATTER, SINCE REDUCED MISSION NO LONGER NEEDED EXTENSIVE ADMINISTRATIVE SERVICES; B) WE WANTED PGNU TO REMOVE POLICE AND DEMONSTRATORS FROM COMPOUNDS, BUT PGNU COULD NOT AGREE TO THIS BECAUSE PROTESTORS WERE UAE EMPLOYEES AND NO ONE ELSE, AND POLICE HAD TO REMAIN BOTH BECAUSE OF EMBASSY "INFRACTIONS" AND "VIOLATION OF LAO SOVEREIGNTY" (NON-NOTIFICATION OF ESTABLISHMENT OF UAE) AND TO "GUARANTEE SECURITY;" C) WE SAID WE COULD NOT NEGOTIATE OVER UAE VEHICLES, MATERIALS, AND SUPPLIES BECAUSE THERE WERNT ANY; ALL PROPERTY WAS EMBASSY'S. IF WE COULD NOT NEGOTIATE, PGNU COULD NOT EITHER; D) SINCE WE COULD NOT AGREE ON FIRST POINT, THERE WAS NO REASON TO PURSUE OTHER POINTS FURTHER.

7. CHARGE TRIED TO CENTER DISCUSSION ON ISSUE OF OCCUPATION OF COMPOUNDS AND ASKED SOUBANH WHETHER HE WAS SAYING THAT FORCIBLE OCCUPATION WOULD CONTINUE. SOUBANH AVOIDED DIRECT REPLY BUT SUGGESTED THAT EVERYONE WHO LEGITIMATELY WORKED THERE COULD GO BACK TO WORK, WITH POLICE ON SCENE AS WELL AS PROTESTING UAE EMPLOYEES. CHARGE RECALLED COMPLETELY UNSATISFACTORY SITUATION
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 VIENTI 05009 02 OF 03 261827Z

THAT HAD PREVAILED AT NA HAI DIAO COMPOUND WHEN THERE WAS NO AUTHORITY WITH WHICH WE COULD DEAL, AS PGNU REFUSED TO ACCEPT ANY RESPONSIBILITY AND AUTHORITY SHIFTED AMONG PROTEST COMMITTEE, STUDENTS AND POLICE. SUCH A SITUATION WAS CLEARLY UNACCEPTABLE AND US MISSION WOULD NOT AGAIN PLACE ITSELF OR ITS EMPLOYEES IN SUCH A POSITION.

8. SOUBANH THEN SOMEWHAT RAPIDLY ATTEMPTED TO END MEETING -- WHICH HAD ALREADY GONE ON ABOUT 50 MINUTES -- BY SAYING HE WOULD PREPARE ON JULY 28 A FORMAL NOTE REPLYING TO OURS OF JULY 18.

9. CHARGE THEN SAID HE WISHED TO RAISE OLDER QUESTION OF NON-USAID PROPERTIES LEFT ON USAID COMPOUNDS. HE OBSERVED THAT PGNU POLICY HAD CHANGED: AT VARIOUS TIMES IN MAY AND JUNE WE HAD RECEIVED ASSURANCES THAT SUCH PROPERTIES COULD BE EXPORTED. IN FACT THEY HAD ALLOWED EMPLOYEES' HHE TO BE REMOVED FROM AMERICAN SCHOOL IN JUNE BUT HAD SUBSEQUENTLY NOT ALLOWED PACKING OF ANY REMAINING PERSONAL PROPERTY THERE OR EXPORT OF NUMEROUS POV'S FOR WHICH WE HAD NOW OBTAINED NECESSARY EXPORT DOCUMENTATION. SOUBANH ATTEMPTED TO DEBATE OUR VERSION OF HISTORY AND WAS PARTICULARLY SENSITIVE TO CHARGE THAT PGNU HAD SHIFTED POLICY. THIS VERY STERILE DISCUSSION ENDED WITH HIS PROMISING TO SEND US A NOTE EMBODYING

PGNU POSITION THAT ALL PROPERTY AT NA HAI DIAO, KM-6
AND KM-9 -- REGARDLESS OF ORIGINAL OWNERSHIP -- NOW
BELONGED HR PGNU.(HE MUMBLED THAT EMBASSY FORKLIFT MIGHT
BE AN EXCEPTION TO GENERAL POSITION.

10. FINALLY, CHARGE RAISED QUESTION OF AMCIT ROSEMARY
CONWAY, WHO HAS NOW BEEN DETAILED FOR MORE THAN SEVEN
WEEKS WITHOUT CHARGES, AND WHOM WE HAVE NOT BEEN ABLE TO
VISIT SINCE JUNE 11. SOUBANH CONFIRMED THAT INVESTIGATION
WAS STILL NOT COMPLETE AND THAT THERE COULD BE NO CONSULAR ACCESS
UNTIL INVESTIGATION HAD BEEN COMPLETED. HE DID HOWEVER APPEAR A
BIT EMBARRASSED AND MURMURED SOMETHING ABOUT ASKING JOINT
POLICE TO EXPEDITE INVESTIGATION.

11. COMMENT: THIS SESSION APPEARS TO LEAVE US
EXACTLY WHERE WE HAVE BEEN FOR FOUR WEEKS NOW, WITH
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 VIENTI 05009 02 OF 03 261827Z

ONLY MOVEMENT OVER THAT PERIOD HAVING BEEN RETURN OF
USIS LIBRARY AND WAREHOUSE TO OUR CONTROL. WE BELIEVE
WE MUST NOW AWAIT PGNU'S NOTE, WHICH IF EXPERIENCE IS

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 VIENTI 05009 03 OF 03 260951Z

11
ACTION EA-10

INFO OCT-01 ISO-00 AID-05 OMB-01 CIAE-00 DODE-00 PM-03

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 IGA-01 FBO-02 A-01 OPR-02 SCS-03 SCA-01

DHA-02 /074 W

----- 083899

P R 260830Z JUL 75
FM AMEMBASSY VIENTIANE
TO SECSTATE WASHDC PRIORITY 4896
INFO AMEMBASSY BANGKOK
AMCONSUL UDORN

DEPCHJUSMAGTHAI//USDAO//UDORN
17TH AD DET 1 UDORN
17TH AD DET 1 OL1B NKP
13TH AF CC CLARK AFB
CINCPAC

C O N F I D E N T I A L SECTION 3 OF 3 VIENTIANE 5009

ANY GUIDE WILL REACH US NOT BEFORE END OF NEXT WEEK.
INTERESTING FEATURE OF TODAY'S SESSION WAS SOMEWHAT
DEFENSIVE AIR THAT CHARACTERIZED MUCH OF SOUBANH'S
PRESENTATION, BOTH IN DEALING WITH OUR JULY 18 NOTE
AND ON CONWAY CASE. IT IS EVIDENT THAT OUR SPECIFIC
REFERENCES IN JULY 18 NOTE TO ARTICLES 22 AND 30 OF
VIENNA CONVENTION HAD HIT HOME AND THAT MFA HAD DONE
SOME RUMMAGING AROUND IN VIENNA CONVENTION TO FIND
ARTICLES THEY COULD CITE TO MAKE NEW CASE THAT US HAD
VIOLATED LAO SOVEREIGNTY. (MFA SECRETARY GENERAL
NAKKHALA SOUVANNAVONG TOLD CHARGE JULY 24 IT WAS
"EVIDENT" THAT WE HAD MADE STRONG LEGAL CASE.)

12. OUR GENERAL SENSE IS THAT MFA PERSONNEL
HAVE BEEN STRETCHED THIN, HAVE BEEN OBLIGED TO DEVOTE
ENERGIES TO OTHER ISSUES SUCH AS RELATIONS WITH
THAILAND, AND HAVE LET PROBLEMS WITH THIS EMBASSY SLIDE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 VIENTI 05009 03 OF 03 260951Z

A BIT. THEY ARE NOW RETURNING TO OUR PROBLEMS,
SEEKING TO BOLSTER THEIR POSITION, AND PERHAPS LOOKING
FOR MEANS TO DE-ESCALATE THE OCCUPATION WITHOUT LOSS
OF FACE. THE TERMINATION OF UAE CONTRACT ON AUGUST 13
MAY REPRESENT AN ELEMENT THEY CAN SEIZE ON AS PART OF CONCEIVABLE
"COMPROMISE", BUT THAT DATE IS STILL NEARLY THREE
WEEKS OFF.

13. THE INSERTION OF CHANSAMONE VONGSAPHAY INTO
NEGOTIATIONS IS ALSO INTERESTING, IN THAT HE HAS
CONSISTENTLY BEEN MOST FRIENDLY TO THIS MISSION AND
HAS LEANED TOWARD COMPROMISE WHEN WE HAVE DISCUSSED
CURRENT PROBLEMS WITH HIM. WE UNDERSTAND INCIDENTALLY
THAT HE AND SOUBANH LEFT VIENTIANE AT ABOUT SAME TIME
IN 1961 TO JOIN SOUVANNA PHOUMA ON THE PLAIN OF JARS.
CHAPMAN

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PFOR
Control Number: n/a
Copy: SINGLE
Draft Date: 26 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975VIENTI05009
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: N/A
Film Number: n/a
From: VIENTIANE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750717/aaaaapby.tel
Line Count: 378
Locator: TEXT ON-LINE
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 VIENTIANE 4786
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 03 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 APR 2003 by Izenbel0>; APPROVED <09 APR 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: OCCUPIED COMPOUNDS: JULY 26 MEETING WITH MFA OFFICIALS
TAGS: LA, US
To: SECSTATE WASHDC BANGKOK UDORN O// UDORN 17TH AD DET 1 UDORN 17TH AD DET 1 OL1B NKP 13TH AF CC CLARK AFB CINCPAC
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006